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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q64866

Norio NAGAI

Appln. No.: 09/894,009

Group Art Unit: 2612

Confirmation No.: 5688

Examiner: Gary Vieaux

Filed: June 29, 2001

For: DIGITAL CAMERA WITH MODE SELECTING DEVICE CAPABLE OF
DISPLAYING CAMERA CONDITION

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

ATTN: MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

REMARKS

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on page 2 of the Notice of Allowability dated April 7, 2005:

The Examiner paraphrases the language used in the claims and uses language not recited in the claims. For example, the phrase "symbol chosen on a mode selecting operation member" is not recited in claim 1.

Accordingly, Applicant submits that each claim is patentable based its own language and not based on any paraphrasing or addition of language that may have been made by the Examiner.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain

Comments on Statement of Reasons for Allowance
U.S. Serial No. 09/894,009

Attorney Docket No.: Q64866

Types of Papers Filed After a Notice of Allowance Has Been Mailed,” 1247OG111 (6/26/01), “a response to the examiner’s reasons for allowance” is an example of a paper that does “not cause substantial interference and delay in the patent issue process” and is “not considered a ‘failure to engage in reasonable efforts’ to conclude processing or examination of the application.”

Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated April 7, 2005.

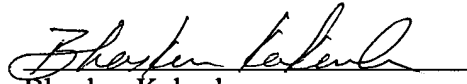
Respectfully submitted,

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WASHINGTON OFFICE

23373

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Date: June 8, 2005